

# Unit Titles (Management) Rental Certificate Determination 2026

## Disallowable instrument DI2026–21

made under the

Unit Titles (Management) Act 2011, s 119 (Unit title certificates)

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### 1 Name of instrument

This instrument is the *Unit Titles (Management) Rental Certificate Determination 2026*.

### 2 Commencement

- (1) This instrument commences on the later of—
- (a) the commencement of the *Building and Construction Legislation Amendment Act 2026*, section 9; and
  - (b) the day after its notification.

### 3 Revocation

This instrument revokes the *Unit Titles (Management) Rental Certificate Determination 2025* (DI2025-74).

### 4 Determination of information to be included in a unit title rental certificate

I determine that the following information is to be included in a unit title rental certificate:

- (1) a copy of the current rules of the owners corporation;
- Note* The *Unit Titles (Management) Act 2011*, section 106, sets out what the rules of an owners corporation are.
- (2) if the unit to which the unit title rental certificate relates is located immediately below the roof cavity in a units plan containing class A units—
- (a) unless it is unreasonable to do so, a statement about whether the unit has ceiling insulation; and
  - (b) unless it is unreasonable to do so, if the unit has ceiling insulation, a statement about the R-value for the ceiling insulation in the unit, and

- (c) if the owners corporation has decided to install ceiling insulation in the parts of the building to which the unit title rental certificate relates, a statement to that effect, and
  - (d) if the owners corporation has refused permission for the unit owner to install ceiling insulation above the unit to which the unit title rental certificate relates, a statement to that effect;
- (3) if it is unreasonable for the owners corporation to obtain and provide the information set out in 4 (2) (a) and (b), the owners corporation must instead provide:
- (a) a statement that it is unable to obtain the required information; and
  - (b) a statement about why it was unable to obtain the required information.

**Example par (3)**

It may be unreasonable for the owners corporation to obtain and provide information about the presence and R rating of ceiling insulation in a roof cavity if there are no existing records (such as building reports) setting out whether there is ceiling insulation and the roof cavity above the unit in question is not physically accessible and so the only means of obtaining the information would be to cut a hole in the ceiling of the unit.

- (4) if there is a regulated swimming pool on the common property of the units plan, and if the regulated swimming pool was built before 1 May 2023, the following documents—
  - (a) a copy of the guidance material notified under the [Building Act 2004](#), section 83H (Guidance about obligations on owners);
  - (b) if the pool has been granted a complete exemption or partial Ministerial exemption from the safety standards—
    - (i) the exemption certificate or partial exemption certificate in force for the pool; and
    - (ii) if the pool has a partial Ministerial exemption—a compliance status certificate for the pool to the extent that it is not exempt from the standards;
  - (c) if the pool is not a pool to which paragraph (b) applies—any of the following:
    - (i) a swimming pool disclosure statement for the common property or,
    - (ii) a compliance status certificate for the pool;
    - (iii) a certificate of occupancy for the pool and safety barrier that is not older than 5 years after the day it was issued.
- (5) if there is a regulated swimming pool on the common property of the units plan, and if the regulated swimming pool was built or substantially altered on or after 1 May 2023, any 1 of the following documents is required—
  - (a) a swimming pool disclosure statement for the common property of the units plan;
  - (b) a compliance status certificate for the pool;

- (c) a certificate of occupancy for the pool and safety barrier;
- (6) A certificate of occupancy mentioned in subsections 4 (4) (c) (iii) and 4 (5) (c) and a compliance status certificate mentioned in subsections 4 (4) (b) (ii), 4 (4) (c) (ii) and 4 (5) (b) must not be older than 5 years.
- (7) if the electricity supplied to the unit to which the unit title rental certificate relates is part of an embedded network – the details of the retailer for the embedded network, and the retailer's contact information, ABN and website address.
- (8) If there are any utility services, aside from electricity, for which the unit occupier will have no or limited choice of service provider for the utility service, and for which the unit occupier is responsible for paying the costs incurred for their usage of the utility service,
  - (a) the following is required:
    - (i) the kind of the utility service; and
    - (ii) website information or contact details the unit occupier can use about or raise any issues with the utility service.

**Example par (8)**

A units plan has a centralised gas hot water system and each unit in the units plan has a gas meter measuring their gas consumption for the heating of water. A tenant in a unit in the units plan cannot choose a service provider for the supply of gas used to heat the water before it is provided to the unit.

**4 Definitions**

In this determination:

**building approval**—see the *Building Act 2004*, dictionary.

**building work**—see the *Building Act 2004*, dictionary.

**ceiling insulation**—see the *Residential Tenancies Regulation 1998*, section 8 (1).

**certificate of occupancy**—see the *Building Act 2004*, dictionary.

**Class A unit**—see the *Unit Titles Act 2001*, section 10.

**common property**—see the *Unit Titles Act 2001*, section 13.

**complete exemption**—see the *Building Act 2004*, section 83 (1).

**compliance status certificate**, for a regulated swimming pool—see the *Building Act 2004*, section 83K (1). **embedded network** means an embedded network under the national electricity rules, chapter 10 (Glossary).

**exemption certificate**, for a regulated swimming pool—see the *Building Act 2004*, section 83D (6).

**national electricity rules** means the National Electricity Rules under the National Electricity (ACT) Law.

*Note 1* The national electricity rules are accessible at [www.aemc.gov.au](http://www.aemc.gov.au).

*Note 2* The Electricity (National Scheme) Act 1997, s 5 applies the National Electricity Law set out in the National Electricity (South Australia) Act 1996 (SA), schedule as if it were an ACT law called the National Electricity (ACT) Law.

***partial exemption certificate***—see the *Building Act 2004*, section 83M (3).

***partial Ministerial exemption***—see the *Building Act 2004*, section 83 (1).

***regulated swimming pool***—see the *Building Act 2004*, section 83B (1).

***R-value***, see the *Residential Tenancies Regulation 1998*, section 8 (1).

***safety barrier***, for a regulated swimming pool—see the *Building Act 2004*, section 83 (1).

***standing exemption***—see the *Building Act 2004*, section 83 (1).

***substantially altered***—see the *Building Act 2004*, section 83L (2).

***swimming pool disclosure statement*** means a statement by the owners corporation that, as accurately as the owners corporation has been able to find out, the following information:

- (1) when construction of the regulated swimming pool was completed; and
- (2) if there is a safety barrier for the regulated swimming pool, was construction of the safety barrier was completed, ; and
- (3) if any building work requiring building approval has been performed in relation to the regulated swimming pool or the safety barrier— when they were completed; and
- (4) if a standing exemption applies to the regulated swimming pool— a statement that the regulated swimming pool is subject to a standing exemption and a statement outlining the circumstances for the exemption.

***unit***—see the *Unit Titles Act 2001*, section 9.

***units plan***—see the *Unit Titles Act 2001*, section 7.

***utility services***—see the *Unit Titles Act 2001*, dictionary.

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Attorney-General

5 March 2026